

**U.S. BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

Honorable M. Elaine Hammond

Friday, October 30, 2015

Current as of 10/27/2015 at 10:00 AM

San Jose Courtroom 3020

U.S. Courthouse and Federal Bldg.

**280 S 1st Street
San Jose, CA 95113**

10:00 AM **15-51348** Carl Edmund Bailey

Ch 7

Trustee: Poonja

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: Michael D. Lee

Matter: **Motion for Relief from Stay RS #BHT-16591, Filed by HSBC Bank USA, National Association, as Trustee for Fremont Home Loan Trust 2005-D, Mortgage-Backed Certificates, Series 2005-D, by Ocwen Loan Servicing, LLC, as servicer (49)**

****Discharged 10/14/15****

10:00 AM **15-53065** Mary E Soriano

Ch 7

Trustee: Poonja

Moving: David S. Henshaw

Opposing:

Debtor or Plaintiff Attorney: Michael H. Luu

Matter: **Motion for Relief from Stay RS #DSH-6, Filed by Russell Hulme (9)**

10:00 AM **15-50534** Robert Ryan Rothhammer

Ch 13

Trustee: Derham-Burk

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Jason Vogelpohl

Matter: **Motion for Relief from Stay RS #JCW-10266, Filed by The Bank of New York Mellon f/k/a The Bank of New York as Trustee for First Horizon Alternative Mortgage Securities Trust 2005-AA7, its assignees and/or successors (34)**

Comment (fr 10/9)

10:00 AM **15-50669** John William Hibbard
Ch 13
Trustee: Derham-Burk

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

4

Matter: **Motion for Relief from Stay Regarding Property Located at 180 1st Street, Morton, Washington, 98356 RS #BHT-1061, Filed by The Bank of New York Mellon fka The Bank of New York, as Successor Trustee for JPMORGAN CHASE BANK, N.A., as Trustee for NovaStar Mortgage Funding Trust, Series 2006-3 NovaStar Home Equity Loan Asset- (55)**

****OFF CALENDAR, Stipulation for Adequate Protection filed 10/26/15****

Comment (fr 10/9)

10:00 AM **15-51257** Demetrious D Cutino
Ch 13
Trustee: Derham-Burk

Moving: Katherine Gates Heidbrink

Opposing:

Debtor or Plaintiff Attorney: David S. Henshaw

5

Matter: **Motion for Relief from Stay (Personal Property) re: 2006 Honda Ridgeline, with Relief from Stay Coversheet Filed by Consumer Portfolio Services, Inc. (20)**

10:00 AM **15-51665** Jennifer Carlson
Ch 13
Trustee: Derham-Burk

Moving: Brian H. Tran

Opposing:

Debtor or Plaintiff Attorney: Susan D. Silveira

6

Matter: **a) Motion for Relief from Stay re real property 5821 Paddon Circle, San Jose, California, 95123 RS #BHT-15679, Filed by The Bank of New York Mellon FKA The Bank of New York as Trustee for the Benefit of the Certificate Holders of the CWALT, Inc., Alternative Loan Trust 2004-J09, Mortgage Pass Through Certificates, Serie (18)**

b) Opposition by debtor (20)

10:00 AM **15-51691** Olga F. Israde
Ch 13
Trustee: Derham-Burk

Moving: Christina J. O

Opposing:

Debtor or Plaintiff Attorney: Vinod Nichani

7

Matter: **Motion for Relief from Stay RS #CJO-551, Filed by U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, by Caliber Home Loans, Inc., as its attorney in fact and its successors and/or assignees (32)**

10:00 AM **15-52070** Shiew Tyan Yang and
Ch 13 Li-Yeh Yang
Trustee: Derham-Burk

Moving: David B. Rao

Opposing:

Debtor or Plaintiff Attorney: Steven J. Sibley

8

Matter: **a) Motion for Relief from Stay RS #DBR-016, Filed by 705A Investors, LLC and 1115 Investors, LLC (21)**

b) Motion to Convert Case to Chapter 7 (Motion to Convert Chapter 13 Case to Chapter 7) Filed by 705A Investors, LLC and 1115 Investors, LLC (27)

c) Objection by Debtors (45)

10:00 AM **14-51507** Marylee Hartsell
Ch 13
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

9

Matter: **Motion for Relief from Stay RS #APN-2763, Filed by Santander Consumer USA Inc. (26)**

10:00 AM **14-51808** Atilano Perez Martinez
Ch 13
Trustee: Derham-Burk

Moving: Jennifer Wang

Opposing:

Debtor or Plaintiff Attorney: W. Kirk Moore

10

Matter: **Motion for Relief from Stay RS #JHW-861, Filed by TD Auto Finance LLC (38)**

10:00 AM **13-53042** Harold Christopher Guiver and
Ch 13 Theresa Rose Guiver
Trustee: Derham-Burk

Moving: Marisol A. Nagata

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

11

Matter: **Motion for Relief from Stay RS #EAT-1562, Filed by US Bank Trust National Association, As Trustee Of The PRP II PALS Investments Trust (49)**

10:00 AM	13-53348	Maria Isabel Munoz	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Brian H. Tran		
Opposing:			
Debtor or Plaintiff Attorney:	Brette L. Evans		
Matter:	Motion for Relief from Stay RS #BHT-970379, Filed by Christiana Trust, a division of Wilmington Savings Fund Society, FSB, not in its individual capacity but as Trustee of ARLP Trust 4 (39)		
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10:00 AM	13-54655	Claudia Castro	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Daniel K. Fujimoto		
Opposing:			
Debtor or Plaintiff Attorney:	Kitty J. Lin		
Matter:	a) Motion for Relief from Stay RS #ASW-2699, Filed by U.S. Bank National Association, as trustee for PROF-2014-S2 REMIC Trust I (65)		
	b) Opposition by debtor (67)		
Comment	(fr 7/9, 8/14)		
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10:00 AM	12-52950	Nina Gonzalez Cervantes	
	Ch 13		
	Trustee: Derham-Burk		
Moving:	Jennifer C. Wong		
Opposing:			
Debtor or Plaintiff Attorney:	David A. Boone		
Matter:	Motion for Relief from Stay and Co-Debtor StayRS #JCW-10088, Filed by Bank of America, N.A. (35)		
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10:00 AM	12-53986	Dan Noble and	
	Ch 13	Eileen Cecilia Noble	
	Trustee: Derham-Burk		
Moving:	Cassandra J. Richey		
Opposing:			
Debtor or Plaintiff Attorney:	Scott J. Sagaria		
Matter:	Motion for Relief from Automatic Stay RS #LSR 918, Filed by The Bank of New York Mellon (41)		
Comment	(fr 7/21, 8/27)		

10:00 AM **11-59278** Sahn Srivardhana
Ch 13
Trustee: Derham-Burk

Moving: Darren J. Devlin

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

16

Matter: **Motion for Relief from Stay RS #DJD-001, Filed by Seterus, Inc., as the authorized subservicer for Federal National Mortgage Association ("Fannie Mae"), Creditor, c/o Seterus, Inc. (82)**

Comment (fr 10/9)

10:00 AM **11-59775** Jason Clayton Wilber and
Ch 13 Corina Sylvia Wilber
Trustee: Derham-Burk

Moving: Asya Landa

Opposing:

Debtor or Plaintiff Attorney: Zachary Tyson

17

Matter: **Motion for Relief from Stay RS #LSR 1023, Filed by U.S. Bank National Association, et al (63)**

***OFF CALENDAR per Order Approving Stipulation for Adequate Protection 10/23/15 ***

Comment (fr 10/9)

10:00 AM **11-61463** Connie Elaine Thompson
Ch 13
Trustee: Derham-Burk

Moving: Ryan M. Davies

Opposing:

Debtor or Plaintiff Attorney: David A. Boone

18

Matter: **Motion for Relief from Stay RS #ASW-2785, Filed by PNC Bank, National Association (61)**

10:00 AM **10-54115** Larry Dean Scott and
Ch 13 Celine Marie Scott
Trustee: Derham-Burk

Moving: Austin P. Nagel

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

19

Matter: **Motion for Relief from Stay RS #APN-2764, Filed by Wells Fargo Bank, N.A., dba Wells Fargo Dealer Services (114)**

****OFF CALENDAR, Stipulation filed 10/21/15****

10:00 AM **10-57025** Clemente Rodriguez and
Ch 13 Lisette Rodriguez
Trustee: Derham-Burk

Moving: Dane Wyatt Exnowski

Opposing:

Debtor or Plaintiff Attorney: Michael H. Luu

20

Matter: **Motion for Relief from Stay RS #DWE-15, Filed by The Bank of New York Mellon (88)**

10:00 AM **14-54232** Pacific Thomas Corporation
Ch 11
Trustee: Everett

Moving: Jennifer C. Wong

Opposing:

Debtor or Plaintiff Attorney: Anne-Leith Matlock

21

Matter: **a) Motion for Relief from Stay RS #JCW-9991, Filed by U.S. Bank National Association, as Trustee for GSAA Home Equity Trust 2006-5, Asset-Backed Certificates Series 2006-5, its assignees and/or successors, by and through its servicing agent America' (861)**

b) Limited Non-Opposition by Kyle Everett, Chapter 11 Trustee (863)

10:00 AM **15-52914** Agustin Zarate
Ch 13
Trustee: Derham-Burk

Moving: Agustin Zarate

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

22

Matter: **Motion to Extend Automatic Stay Filed by Agustin Zarate (25)**

10:00 AM **15-52354** Katy S Patchen
Ch 7
Trustee: Richardson

Moving: Reilly Wilkinson

Opposing:

Debtor or Plaintiff Attorney: Ralph P. Guenther

23

Matter: **Motion for Relief from Stay RS #RDW-705, Filed by c/o Scheer Law Group CHRISTIANA TRUST, A DIVISION OF WILMINGTON SAVINGS FUND SOCIETY, FSB, NOT IN ITS INDIVIDUAL CAPACITY BUT AS TRUSTEE OF ARLP TRUST 3 (15)**

****Statement of Non-Opposition by debtor (17)****

10:00 AM **15-53016** Anne Sprague
Ch 7
Trustee: Kaelin

Moving: Thomas B. Sheridan

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

24

Matter: **Motion for Relief from Stay; MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT; IN REM RELIEF REQUESTED RS #TBS-1, Filed by Alpine Holdings Inc. (15)**

10:00 AM **15-52325** 9006 Soquel Drive, Aptos, LLC
Ch 11

Moving: Peter H. Bonis

Opposing:

Debtor or Plaintiff Attorney: Henry B. Niles

25

Matter: **Notice of Motion and Motion for Relief from Automatic Stay (35) MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION FOR RELIEF FROM THE AUTOMATIC STAY RS #PHB1, Filed by Lee Steinberg**

Statement of Non-Opposition by Debtor (36)

10:00 AM **15-51560** Renata Castro
Ch 7
Trustee: Bowyer

Moving: Arnold L. Graff

Opposing:

Debtor or Plaintiff Attorney: ProSe / None

26

Matter: **Motion for In Rem Relief from Stay RS #ALG-182, Filed by HSBC Bank USA, N.A. (43)**

***Order shortening time 10/22/15**

10:00 AM **15-52688** Darwin Walker
Ch 13
Trustee: Derham-Burk

Moving: Daymon Ferguson

Opposing:

Debtor or Plaintiff Attorney: Daymon Ferguson

27

Matter: **Motion to Instill Automatic Stay Filed by Darwin Walker (26)**

10:00 AM **14-53105**

Lisa LeAnn Dewey

Ch 13

Trustee: Derham-Burk

Moving: Raymond F. Moats III

Opposing:

Debtor or Plaintiff Attorney: Norma L. Hammes

28

Matter: a) Motion for Relief from Stay RS #RFM-005, Filed by KEYBANK, N.A. (65)

b) Motion for Relief from Co-Debtor Stay Filed by KEYBANK, N.A. (67)
